

Reissue Application No. 10/805,686 &  
Reexamination Application No. 90/007,487  
Amendment Responsive to 19 July Decision, Sua Sponte, to Merge Reissue and Reexamination  
Proceedings

REMARKS

Claims 2-13, 21, and 23-25 are pending. By this Amendment, claims 2-3, 6, and 8-9 are amended and claims 1, 14-20, and 22 are canceled.

This amendment is responsive to Housekeeping Amendment required by the 19 July 2005 Sua Sponte Decision to Merge Reissue and Reexamination Proceedings and to the 1 July 2005 Notice of Non-Compliant Amendment with respect to Reissue Application 10/805,686. It is believed that this amendment complies with the directive to file the Housekeeping Amendment and is in the proper format for reissue proceedings. To this end, entry of this amendment in the Reissue Application 10/805,686 - Reexamination Control No. 90/007,487 merged proceeding is respectfully requested.

Claims 2 and 3 are amended to include the limitations of claim 1. Claim 2 is further amended to recite that the second ply includes "a multiplicity of cross plies" rather than "a planar portion and a multiplicity of cross portions." Support for the amendment to claim 2 can be found, e.g., in Figure 5 and in the specification beginning at column 3, line 18. Amending claim 2 with the latter amendments merely restates the limitations present in canceled claim 1 and, therefore, does not narrow the scope thereof.

Claim 6 is amended to recite "the batten longitudinal axis," in place of "a batten longitudinal axis," the former limitation having antecedence in claim 3, from which claim 6 indirectly depends. Applicant respectfully submits that correcting antecedence does not narrow the scope of claim 6.

Claim 8 is amended to more particularly point out and distinctly claim the subject matter regarded as the invention by reciting "another of the first plies and the second ply" rather than

Reissue Application No. 10/805,686 &  
Reexamination Application No. 90/007,487  
Amendment Responsive to 19 July Decision, Sua Sponte, to Merge Reissue and Reexamination  
Proceedings

"the other of the first plies and the second ply." Applicant submits that the former limitation recognizes that more than two first plies might be present in some embodiments of this invention; hence the amendment, if anything, broadens the scope of claim 8.

Claim 9 is amended to recite "a plurality of hingelines" and to recite the intact portions "comprising substantially intact first plies" rather than "comprising substantially intact first and second plies." Support for the foregoing amendment can be found, e.g., in the paragraph beginning at column 3, line 64. Applicant submits that the foregoing amendment, if anything, broadens the scope of claim 9.


No new matter has been added by the amendments to the claims presented herein. In view of the amendments to the claims, reconsideration and withdrawal of the rejection are respectfully requested.

Reissue Application No. 10/805,686 &  
Reexamination Application No. 90/007,487  
Amendment Responsive to 19 July Decision, Sua Sponte, to Merge Reissue and Reexamination  
Proceedings

Conclusion

In view of the foregoing, it is submitted that this Application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. To this end, the Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

  
Wm. Larry Alexander, Ph.D.  
Registration No. 37,269

Customer No. 24113  
Patterson, Thuent, Skaar & Christensen, P.A.  
4800 IDS Center  
80 South 8th Street  
Minneapolis, Minnesota 55402-2100  
Telephone: (612) 349-5757